

1 BEFORE THE FEDERAL ELECTION COMMISSION

2
3 In the Matter of)
4) MUR 5895
5 Meeks for Congress and Patsy A. Simmons,)
6 in her official capacity as treasurer)
7 Gregory W. Meeks)
8

9 GENERAL COUNSEL'S REPORT # 3

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11 I. ACTIONS RECOMMENDED:

12 (1) Accept the attached proposed conciliation agreement with Meeks for Congress and
13 Patsy A. Simmons, in her official capacity as treasurer, ("the Committee") and Gregory W.
14 Meeks (collectively, "Respondents"), and (2) close the file.

15 II. BACKGROUND

16 On January 10, 2007, the Commission found reason to believe that Meeks for Congress
17 and Joan E. Flowers, in her official capacity as treasurer, violated 2 U.S.C. §§ 434(b), 441a(f),
18 441b(a), 432(c)(5), 432(d) and 439a(b) during the 2004 election cycle by misstating its cash on
19 hand, receipts, and disbursements in the years 2003 and 2004; accepting apparent prohibited
20 contributions; accepting contributions in excess of the limitations set forth in the Federal Election
21 Campaign Act of 1971, as amended ("the Act"); failing to keep proper records of its operating
22 expenditures and its contributions made to other political committees, and using campaign funds
23 to pay for what appear to be personal expenses of the Candidate.¹ In addition, the Commission
24 found reason to believe that Gregory W. Meeks violated 2 U.S.C. § 439a(b).

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27 The Commission's reason-to-believe findings were based upon

¹ Patsy A. Simmons replaced Joan E. Flowers as treasurer following the Commission's reason-to-believe findings in this matter

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information contained in the Report of the Audit Division on Meeks for Congress dated August 11, 2006 ("FAR").

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1 **III. CONCILIATION AGREEMENT**

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IV. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Meeks for Congress and Patsy A. Simmons, in her official capacity as treasurer, and Gregory W. Meeks.
2. Close the file.
3. Approve the appropriate letters.

Thomaseenia P. Duncan
General Counsel

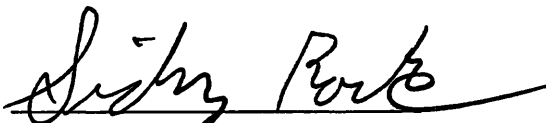
Date

11/7/07

BY:



Ann Marie Terzaken
Associate General Counsel for Enforcement



Sidney Rocke
Assistant General Counsel



Christine C. Gallagher
Attorney

Attachments

1. Affidavit of Joan E. Flowers

BEFORE THE
FEDERAL ELECTION COMMISSION

IN RE

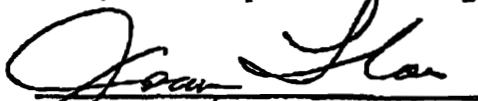
Meeks for Congress, et al

MUR 5895

Declaration of Joan Flowers

This declaration by the Treasurer of the Meeks for Congress committee explains the mechanical process by which payments were made to a personal trainer by the committee without the involvement of Congressman Weeks.

1. My name is Joan Flowers. I was the treasurer for Meeks for Congress in 2003 and 2004. I am also Chief Executive Officer for Cross Island Sports & Fitness Centre, Inc.
2. In 2003 and 2004, I was responsible for, among other things, paying the Committee's bills. The mechanical process for making payments to Mr. Davidson Joseph, a personal trainer who worked out of the Cross Island Sports & Fitness Centre was, as follows:
 - a. After Mr. Joseph completed personal trainer services he provided information to a Fitness Centre staff person who prepared a "Personal Training Voucher" that included the date(s) that services were provided and the trainer's name.
 - b. The staff person put the Personal Training Voucher forms in an envelope, handed them to my secretary at the Fitness Centre, who then placed them in my office.
 - c. I kept the Committee's bills in a separate folder. Every two weeks or so, I would do various Committee paperwork and pay bills that had accumulated in the folder. The personal trainer invoices did not need the approval of the Congressman for payment.
 - d. I would write a check to Mr. Joseph for the services that he provided and would either hand him the check personally or leave it in an envelope for him to pick up the next time that he came to the Fitness Centre.
 - e. The Fitness Centre did not receive any portion of the funds paid to Mr. Joseph.
3. I am over 21 years of age, of sound mind, and I have personal knowledge of the facts stated above.


Joan Flowers
Date 6/28/07